

REMARKS

This response amends Claims 17 and 30. Thus, after entry of this response, Claims 17-22 and 27-31 are pending and presented for further consideration.

On September 21, 2009, Examiner Lee allowed the pending claims. On September 22, 2009, Applicant paid the Issue Fee.

On October 2, 2009, counsel of record, John R. King, spoke to Examiner Lee regarding a correction of the wording in Claim 30. In particular, the following correction was proposed: "the amplitudes of the ~~third-fourth~~ set of frequencies are greater than the amplitudes of the third set of frequencies".

It was our understanding that Examiner Lee was not opposed to making the proposed amendment, but an Examiner's amendment was not possible because Applicant has already paid the Issue Fee. Thus, Applicant has filed this Request for Continued Examination and a petition to withdraw the application from issuance.

In addition, Applicant has corrected the following two words in Claim 17: "a first input and a second input ~~or~~ of original audio data, wherein the audio data comprises a full range of frequencies within an original audio band without passing through a subsonic ~~filter~~ filter;"

Upon grant of the petition, Applicant respectfully requests Examiner Lee to enter the amendment and allow the pending claims.

NO DISCLAIMERS OR DISAVOWALS

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application.

Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the

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present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the interview. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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